



ITW

PTO/SB/21 (09-04)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

30

Application Number	10/647,031
Filing Date	August 21, 2003
First Named Inventor	Kunitake, Steven T.
Art Unit	1645
Examiner Name	
Total Number of Pages in This Submission	30
Attorney Docket Number	022041-000810US

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Forms PTO/SB//08A,B, ISR, 3 references, return postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
	Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Kawai Lau		
Date	June 6, 2005	Reg. No.	44,461

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature	
Typed or printed name	Timothy S. Parker
Date	June 6, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On June 6, 2005



PATENT
Attorney Docket No.: 022041-000810US

TOWNSEND and TOWNSEND and CREW LLP

By: Timothy J. Parker

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Steven T. Kunitake, et al.

Application No.: 10/647,031

Filed: August 21, 2003

For: PRESERVATION OF RNA
QUALITY AND CONTENT IN TISSUE
SECTIONS DURING
IMMUNOHISTOCHEMISTRY

Examiner:

Art Unit: 1645

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of references BC-BE are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Also enclosed is a copy of the International Search Report issued in conjunction with corresponding PCT application no. PCT/US03/26621, dated May 12, 2004, and in which reference AA was cited.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that pursuant to 37 C.F.R. § 1.97(b)(3), no fee is required for submission of this statement because this submission is before the mailing of a first Office Action on the merits.

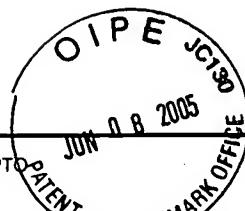
However, if a fee is determined to be required, the Commissioner is authorized to deduct such fee from the undersigned's **Deposit Account No. 20-1430**, referencing **022041000810US**.

Respectfully submitted,



Kawai Lau
Reg. No. 44,461

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 858-350-6100
Fax: 415-576-0300
KL:tp
60099246 v1



Substitute for form 1449A/PTO-1449A INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
Sheet	1	of	2	Application Number	10/647,031
				Filing Date	August 21, 2003
				First Named Inventor	Kunitake, Steven T.
				Art Unit	1645
				Examiner Name	
				Attorney Docket Number	022041-000810US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
AA	US-5,852,001		12/22/1998	Vallee, B.L.	
AB	US-				
AC	US-				
AD	US-				
AE	US-				
AF	US-				
AG	US-				
AH	US-				
AI	US-				
AJ	US-				
AK	US-				
AL	US-				
AM	US-				
AN	US-				
AO	US-				
AP	US-				
AQ	US-				
AR	US-				
AS	US-				
AT	US-				

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴ Kind Code ⁵ (if known)				
	AU						<input type="checkbox"/>
	AV						<input type="checkbox"/>
	AW						<input type="checkbox"/>
	AX						<input type="checkbox"/>
	AY						<input type="checkbox"/>
	AZ						<input type="checkbox"/>
	BA						<input type="checkbox"/>
	BB						<input type="checkbox"/>

Examiner Signature	Date Considered
--------------------	-----------------

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ² Applicant's unique citation designation number (optional). ³ Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ⁴ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				<i>Application Number</i>	10/647,031
				<i>Filing Date</i>	August 21, 2003
				<i>First Named Inventor</i>	Kunitake, Steven T.
				<i>Art Unit</i>	1645
				<i>Examiner Name</i>	
Sheet	2	of	2	<i>Attorney Docket Number</i>	022041-000810US

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	BC	BERGER, Shelby L., et al. "Inhibition of Intractable Nucleases with Ribonucleoside-Vanadyl Complexes: Isolation of Messenger Ribonucleic Acid from Resting Lymphocytes", <i>Biochemistry</i> 1979, 18: 5143-5149		
	BD	PUSKAS, Robert S., et al. "Effect of Ribonucleoside-Vanadyl Complexes on Enzyme-Catalyzed Reactions Central to Recombinant Deoxyribonucleic Acid Technology", <i>Biochemistry</i> , 1982, 21:4602-4608		
	BE	KANZ, Lothar, et al., "Detection of Messenger RNA's within Single Hemopoietic Cells by in situ Hybridization on Small Slide Areas", <i>Exp. Hematol.</i> , (1988) 16:394-399		
	BF			
	BG			
	BH			
	BI			
	BJ			
	BK			
	BL			
	BM			

Examiner Signature	Date Considered
--------------------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.